

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MICHAEL HENRY RICHARDSON

VS.

NATHANIEL QUARTERMAN

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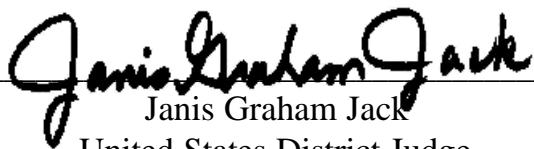
C.A. NO. C-08-083

**ORDER DENYING AS MOOT PETITIONER'S
MOTION TO PROCEED *IN FORMA PAUPERIS* ON APPEAL**

On March 17, 2008, petitioner filed a § 2254 petition for habeas corpus relief (D.E. 1), and an application to proceed *in forma pauperis* ("i.f.p."). (D.E. 3). On March 18, 2008, his motion for leave to proceed i.f.p. was granted. (D.E. 6).

Pending is petitioner's motion to proceed i.f.p. on appeal. (D.E. 35). Having previously been granted i.f.p. status in this habeas corpus case, petitioner need not seek re-authorization to proceed i.f.p. on appeal.¹ See Fed. R. App. P. 24(a)(3). Accordingly, petitioner's motion to proceed i.f.p. on appeal is denied as moot.

ORDERED this 2nd day of October, 2008.


Janis Graham Jack
United States District Judge

¹It is well established that the fee provisions of the Prison Litigation Reform Act, 28 U.S.C. § 1915 *et seq.*, do not apply to habeas corpus proceedings. Sonnier v. Jonhson, 161 F.3d 941, 943 (5th Cir. 1998).